

UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF NEW YORK

|   |                                       |
|---|---------------------------------------|
| ELEMENT WORKS USA, LLC, a New Jersey limited liability company; E. WORKS LLC, a New York limited liability company; MOBILE TECH WORKS, a New York corporation; AND SAM CHERA. | ) Case No. 19-CV-05268                |
|   | ) Judge: Eric N. Vitaliano            |
|   | ) Magistrate Judge: Sanket J. Bulsara |
|   | )                                     |
| Plaintiffs  | )                                     |
|   | )                                     |
| vs.   | )                                     |
|   | )                                     |

SOLOMON SHEMIA a/k/a STEVE SHEMIA, A&J HOME CARE, INC., a New York corporation, and HOME HEALTH CARE SERVICES OF NY, INC. d/b/a HCS HOME CARE, a New York Corporation

Defendant.

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**PLAINTIFFS' NOTICE OF MOTION FOR VOLUNTARY DISMISSAL OF THE COMPLAINT WITHOUT PREJUDICE**

Nature of Action: Unfair Competition and Deceptive Trade Practices

Moving Party: Plaintiffs Element Works USA, LLC; E. Works LLC; Mobile Tech Works, and Sam Chera

Date and Time: At a date and time determined by the court.

Place: Hon. Eric N. Vitaliano, United States Courthouse, 225 Cadman Plaza East, Buffalo, New York.

Supporting Papers: Memorandum of Law, dated January 8, 2021; and Exhibits A-G, in Support of Plaintiffs' Motion for Voluntary Dismissal of the Complaint Without Prejudice

Relief Requested: An Order granting Plaintiffs' Motion for Voluntary Dismissal of the Complaint Without Prejudice

Grounds for Relief: Federal Rule of Civil Procedure 41

Reply Papers: Please take notice that Defendants intend to file and serve reply papers.

Oral Argument: Not Requested

Respectfully submitted,

Date: January 8, 2021

By: s/ Charles D. Pfister  
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Attorneys for Plaintiffs  
Element Works USA, LLC, E. Works LLC, Mobile  
Tech Works, Inc. and Sam Chera

**CERTIFICATE OF SERVICE**

I hereby certify that on January 8, 2021, the foregoing document was served in accordance with the Federal Rules of Civil Procedure, and/or the Eastern District's Local Rules, and/or the Eastern District's Rules on Electronic Service upon the following parties and participants:

**Via Email**

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